PRESENT:

Leland J. Roper Mayor and presiding
Willis Morrison Councilman
Cecil Losee Councilman
Don Bird Councilman
Max Bennett Councilman
Thomas Callister Councilman

ABSENT: None

OTHERS PRESENT:

Neil Forster Public Works Superintendent
Ray Valdez City Building Inpsector
Warren Peterson City Attorney
Dorothy Jeffery City Recorder
Nadine Nielson City Secretary

Bob Pendray Pendray Estates Roger Stowell IPP Representative Harvey Rowlette City Resident Clinton Tolbert Kitten Klean Trailer Court Thorpe Waddingham Attorney Brent Rogers DBA President Buell, Winter, Mousel & Associates Todd Wirthlin John Peterson Buell, Winter, Mouse, \$ Associates Dick Schmutz University Mall University Mall Ralph Brosn Grant Nielson City Resident Jack Fowles City Resident Verdell Bishop City Resident

Mayor Roper, being present, called the meeting to order at 8:00 p.m. Dorothy Jeffery, being present, acted as secretary.

Mayor Roper stated the meeting was a regular council meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided the Millard County Chronicle; the Millard County Gazette and the local radio station, KNAK, and to each member of the governing body by mailing copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

Proposed minutes of a Regular Council meeting held October 13, 1981, were presented for consideration of council's approval, after council review, Councilman Morrison MOVED the minutes be approved. MOTION SECONDED by Councilman Bennett and received the unanimous affirmative vote of all councilmen present.

FINAL APPROVAL OF PENDRAY ESTATES, PLAT E, - BOB PENDRAY

Mayor Roper stated there were some problems on the security for improvement on Plat E of Pendray Estates -200% is required and only 150% was requested. Mr. Pendray stated there is a problem but that it would be taken care of.

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After some discussion, Mayor Roper read the following letter from the Planning and Zoning Committee:

Dear City Council:

By a unanimous vote at the Planning and Zoning Meeting held Wednesday October 14, 1981 The Planning and Zoning Committee recommended that Delta City Council approve the Pendray Estates Revised Preliminary Plat with the stipulation that the Pendray's submit a letter to Delta City stating they will not build anything but single family dwellings on Lot #6-A, and Lot #7-A.

By a unanimous vote at the Planning and Zoning Meeting held Wednesday October 14, 1981, the Planning and Zoning Committee recommended that the Delta City Council approve the Pendray Estates Final Plat "E".

Sincerely,

Don Dafoe, Planning and Zoning Chairman.

Mr. Bob Pendray stated there were two (2) letters issued to the City concerning the situation of the SingleFamily Dwellings on Lot #6-A, and Lot #7-A. Mr. Pendray also stated, 7+A is a 94 foot lot and 6-A is 82×94 . The vacant lots are planned for single family dwellings which is the R-R-l zone.

Attorney Peterson stated if the old ordinance required the lot to be zoned R-1-A, Bob may have a vested right in the lot size required by the prior zoning ordinance.

Mayor Roper stated it was approved under the old ordinance.

Mr. Pendray explained to council the intended cost of the homes which will be built, there will be a buffer between the lesser cost homes and the more expensive homes. Mr. Pendray presented the original plans to the council. Mayor Roper suggested the matter be placed on another agenda and be discussed at a later date.

There was a very lengthy discussion regarding the streets in that area. Attorney Peterson suggested the City needs to start looking at the lots so that Mr. Pendray would know how to plan. Mr. Pendray stated, basically what they are looking at are duplexes and low income housing in one section of his property.

After further discussion of the Plat E, Councilman Morrison MOVED to approve Plat E as provided, subject to Attorney Peterson finishing off the Bonding situation. MOTION SECONDED by Councilman Max Bennett, and received the unanimous affirmative vote of all councilmen present.

DISCUSSION OF PROPERTY FOR THE DELTA CITY COMPLEX

Mayor Roper explained to council, the property which is now being examined for the Delta City Complex, which is located East of the old Delta City Swimming Pool, Mayor Roper explained the incident that had happened five (5) years ago with the contract and the deed for the property. The property was offered for sale to the hospital, however, the contract was not signed and the deed was never recorded. Mr. Verdell Bishop, chairman of the Hospital Board, explained in detail the plans for the proposed hospital. Mr. Bishop informed council the 10 acres of the property which the hospital board is looking at for the new hospital is located East of the Cemetary, across from the Rex Day Property, and would have

to be annexed into the City, and that they would have to have City Water and Sewer Services for the hospital.

Attorney Waddingham explained in detail the past history of the property. Councilman Morrison asked if the county is involved in the matter, or is the decision between the city and the hospital. Councilman Morrison was told it was between the City and the Hospital.

Councilman Bird stated, "Well to move things along, we do have a piece of property we can negotiate on here, and it is going to be entirely depending on whether is can be annexed then work out the water dedication on it. I would like to make a MOTION the council get a negotiating team and find out if it can be annexed. Motion died for lack of second.

A meeting was set for November 04, 1981, at 7:00 p.m. with the hospital board, to be held in the Delta City Office Building for the purpose of negotiating the property to be annexed into the Corporate Limits of Delta City, and the present hospital property.

DISCUSSION ON THE BUSINESS LICENSE FEE SCHEDULE - THOMAS CALLSITER

Councilman Callister explained to council, there was a lack of business people attending the meeting to discuss the business license fee schedule.

Mr. Cllinton Tolbert made a statement, he thought the business license fee was extremely high for his car wash and trailer court, and that it did not compare with the other large business's that had a greater income.

Councilman Callister stated, council has discussed setting the license fee on a gross receipt however, in some cases the fee would have been much higher than the present fee schedule, also there were alot of people against it.

There was some discussion on the basis of the license fee schedule, Mayor Roper stated if a person has a good logical reason for the fee schedule to be changed the council would be willing to discuss the matter.

TODD WIRTHLIN'S PROPOSAL FOR THE DELTA CITY COMPLEX AND THE AIRPORT MASTER PLAN

Mr. Todd Wirthlin introduced to the Council, Mr. Joyn Peterson who was going to explain the format inwhich they were working. Mr. John Peterson explained to the council the kind of reputation which Buell, Winter, Mousel, and Associates have built up in the past years. He also stated that their company is very anxious to get started on the Delta City Complex and the Airport Master Plan.

Mr. Peterson presented the council with a sketch of the proposed Delta City Office Building and explained the advantages of making a building attractive and also have it not to expensive. Mr. Peterson stated he had some slides that he would like to present to the council, however, Councilman Morrison stated the agenda was tight and suggested Mr. Peterson leave some brochures for the council to review.

Mr. Peterson requested to schedule a Special Meeting for the purpose of reviewing the slides, no special date was set for the meeting.

CREAMER AND NOBLE AIRPORT MASTER PLAN PROPOSAL

Mr. Steve Creamer presented to council a sketch of a proposed Airport Master Plan, he stated their company has been engineers for four (4) cities, they stated the money is available and ready to go. They have been in business for over five (5) years.

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Mr. Steve Creamer stated thier company would be happy to let the City Attorney, Warren Peterson, write up a contract, or they would be happy to bring one down next time they came to Delta City.

Mayor Roper thanked Creamer and Noble for their presentation.

DICK SCHMUTZ, RALPH BROWN, - PROPOSAL FOR INDUSTRIAL REVENUE BONDS FOR SHOPPING CENTER

Mr. Dick Shmutz stated their company is very interested in a shopping center in Delta City and they felt a shopping center will be needed in the Delta area in the years ahead. They are negotiating on the property on the East part of Town, which is owned by the Department of Transportation, and Roger Lister, they are willing to sell 15 acres of the property, with certain agreements.

Mr. Shmutz stated they were going to apply for commercial zoning on this property, they have talked to four (4) anchor stores, and they are very interested in supporting them by opening their store inside the shopping mall, however, they are very concerned with the finances and high interest rates at the present times.

Ralph Brown stated projects like this one are very serious because of the high interest rate or of the commercial development being financed with the Industrial Revenue Bonds.

Mr. Shmutz stated their company sent down copies of the Indusement Resolution, and would like the council to vote on the Resolution tonight, and also make a final decision. Mr. Shmutz also presented the council with the Criteria and Procedure for the council review. Items the council was worried about were as follows:

- 1. Memorandum does not include the administrative fees.
- 2. Both the City and the Developer have the same bond council.

Attorney Peterson stated the council should be aware of the problems stated above before taking any voting action on the matter.

Councilman Callister MOVED to table the matter until a special meeting can be scheduled for later in the week, or put them on the November 02, 1981 agenda for a Regular Council Meeting, MOTION SECONDED by Councilman Don Bird, voting was unanimous.

OTHER DISCUSSION

- 1. Mayor Roper asked the council about the subject of the wage scale for the election judges and counters for the election year 1981. After some discussion, Councilman Don Bird MOVED to pay the election persons \$40.00 each. MOTION SECONDED by Councilman Thomas Callister and recieved the unanimous affirmative vote of all councilmen present.
- 2. Councilman Morrison suggested Attorney Peterson write up an Ordinance concerning the wage scale for the Mayor and also for the Councilmen. Council agreed an Ordinance should be prepared by Attorney Peterson to be reviewed at the November 02, 1981 Council Meeting.

- Councilman Bennett asked Attorney Peterson about the results of the court 3. case concerning Mom's Crafts. Attorney Peterson replied, "We accepted a plea of no-contest, the defendants conditions were twenty (20) hours minimum of public service, and also a thirty dollar fine (30.00). The defendants were allowed to reapply for a zone change." Attorney Peterson stated he was not satisfied with the outcome of the court case.
- Petition request by Larry Morris for rezoning for 193 South 1st West to allow for more trailer spaces was discussed at a Planning and Zoning Meeting held October 04, 1981. The Planning and Zoning recommendation to the council is to deny the request. Councilman Callister MOVED to accept the Recommendation of the Planning and Zoning Committee, and deny Mr. Morris's request. MOTION SECONDED by Councilman Losee. Motion carried.

Mayor Roper asked if there were any other comments, there being none, Councilman Bennett MOVED the meeting be adjourned, MOTION SECONDED by Councilman Don Bird, and received the unanimous affirmative vote of all councilmen present. Meeting adjourned at 11:55 p.m.

Leland J. Roper, Marco Delta City

Dorothy Jeffery, City Delta City. 4

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PRESENT:

Leland J. Roper Max Bennett Don Bird Thomas Callister Cecil Losee Willis Morrison

Mayor and Presiding

Councilman Councilman Councilman Councilman Councilman

ABSENT: None